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REMARKS

Claims 1-76 are currently pending in the subject application.

In the Office action, the Examiner has finally rejected claims 1-76 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,411,943 to Crawford. Applicant submits that the claims are patentable over the Crawford patent for at least the reasons set forth in Applicant's Amendment "B" dated January 9, 2007, which is hereby incorporated by reference. As set forth in more detail in Amendment "B", the Crawford patent fails to show or suggest any of the limitations of the claims that pertain to the provision or use of a timer module, a program builder system or a model number data page.

In response to Applicant's arguments in Amendment "B", the Examiner states: "The examiner agrees that the applied prior art does not teach the method exactly, (i.e., does not sell timer modules), however, applicant is not claiming the timer module, merely the method of selling the module." Applicants would like to make the following observations concerning this statement:

- Not all of the claims are method claims; some of the claims are apparatus claims;
- None of the claims are directed to a method of selling timer modules;
- Every claim does indeed recite a timer module or a timer module circuit in some form, such as: "providing a programmable timer module" (independent claims 1 and 49), "making a programmable timer module" (independent claims 8 and 57) and "a programmable timer module" (independent claim 15).

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REMARKS


In the Final Office action, the Examiner finally rejected all of the pending claims, namely claims 1-76. This appeal is being taken with regard to all of the pending claims.

If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 050877.

Respectfully submitted,

ABB Inc.

By:

  
Paul R. Katterle, Reg. No. 36563

July 6, 2007

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Based on the Examiner's statement and the observations set forth above, it is manifestly clear that the Crawford patent does not show or even remotely suggest the pending claims. Accordingly, Applicant requests the Examiner to withdraw his rejection of the claims based on the Crawford patent.

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Respectfully submitted,

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